



UNITED STATES PATENT AND TRADEMARK OFFICE

12

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,223	07/09/2001	Anders Jorgen Mikael Andersson	NOH-001	7629
3897	7590	11/29/2004	EXAMINER	
SCHNECK & SCHNECK P.O. BOX 2-E SAN JOSE, CA 95109-0005			NGUYEN, PHUOC H	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/902,223

Applicant(s)

ANDERSSON, ANDERS JORGEN
MIKAEL

Examiner

Phuoc H. Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring claims 1, the limitation “a wait command” is indefinite. For examination purposes, the examiner considers the limitation “a wait command” as any typical command in a computer processing. In combine with, the examiner interprets the limitations “a thread... to a wait command” in lines 20-21 as a single process to monitor the core component responding to a command.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-82 rejected under 35 U.S.C. 102(e) as being anticipated by Richards et al.

(Hereafter, Richards) U.S. Patent 6,754,707.

5. Regarding claims 1,34, and 55, Richards discloses in figure 1, a communications network, a system for enabling both a host computer and a remote computer to view and control a software application controlling a hardware or software device running on the host computer, said system comprising: a) a host computer running a software application (eg. computer program), said software application having (col. 3, lines 24-25, and col. 10, lines 49-55): i) a core component (e.g. program code) controlling both the operation of the software application (e.g. computer program) and a device attached to the computer (e.g. memory, disk, files, CPU type, OS, printers, etc.) (col. 10, lines 49-55) ; ii) a graphical user interface (e.g. display) presenting output from and accepting input to the software application (col. 10, lines 56-59 and 62-66); iii) a communication module handling messages passed between the core component and the graphical user interface (e.g. the program code perform the functions and generate output, the output information then display on the monitor, which is inherently provide the communication between the program code and the display); iv) a client/server module having a socket allowing bi-directional communications with other instances of said software application running on other computers in a network (Figure 1; col. 5, lines 11-30); and v) a thread to monitor whether the core component has responded to a wait command (col. 5, lines 11-46; and col. 6, lines 36-46); and b) a remote computer running another instance of the software application, said software application connected to the host computer's software application by a TCP/IP connection (col. 4, lines 55 through col. 5, lines 10); wherein the host computer's software application and the remote computer's software application share information and control of both the software application running on the host computer and the hardware or software device connected to the host computer (Figure 1; and col. 7, lines 49 through col. 8, lines 35).

Art Unit: 2143

6. Regarding claims 2-7, and 58-63, Richards further discloses the device is a hardware device, a microprocessor, an in-circuit emulator, a data storage device, a test instrument, an internet-enabled appliance (col. 7 last paragraph through col. 8, 1st paragraph).

7. Regarding claims 8,9,64, and 65, Richards further discloses the device is a software device and software device is a simulator (col. 7 last paragraph through col. 8, 1st paragraph; and col. 10, lines 49-50).

8. Regarding claims 10, and 36, Richards further discloses the host computer software application is configured as server-side software and the remote computer software application is configured as client-side software (col. 8, lines 27-35).

9. Regarding claims 11,31,35,52, and 80, Richards further discloses the host computer software application is configured as client-side software and the remote computer software application is configured as server-side software (col. 8, lines 27-35; and col. 10, lines 12-35).

10. Regarding claims 12, and 81, Richards further discloses the TCP/IP connection is initiated by the software application configured as client-side software (col. 5, lines 3-10 and lines 52-54).

11. Regarding claims 13,28,38,49, and 66, Richards further discloses a user of the remote computer is providing customer support to a user of the host computer (col. 8, lines 5-13).

12. Regarding claims 14,29,39,50, and 67, Richards further discloses a user of the host computer is providing customer support to a user of the remote computer (col. 8, lines 5-13).

13. Regarding claims 15,30,40,51, and 68, Richards further discloses a user of the remote computer is collaborating on a project with a user of the host computer (e.g. Figure 1, both client are collaborate with each others).

Art Unit: 2143

14. Regarding claims 16,37,69, and 70, Richards further discloses the computer running the software application which has been configured as client-side software is located behind a firewall or a similar Internet security device (col. 7, lines 49-54).

15. Regarding claims 17,42, and 75 Richards further discloses the software application further includes a plurality of threads (e.g. processes) to pass messages to different components and modules of the software application (col. 10, lines 12-22).

16. Regarding claims 18,43, and 76, Richards further discloses one of the threads passes messages from a queue in the communication module to the graphical user interface (col. 10, lines 23-36).

17. Regarding claims 19,44, and 77, Richards further discloses one of the threads passes messages from the core component to a queue in the communication module (col. 10, lines 23-36).

18. Regarding claims 20,45, and 78, Richards further discloses one of the threads takes messages from the socket and passes them to a queue in the communication module (col. 10, lines 23-36).

19. Regarding claims 21,46, and 79, Richards further discloses one of the threads takes messages from the socket and passes them to the host software application's core component (col. 10, lines 23-36).

20. Regarding claims 22,47, and 82, Richards further discloses the software application possesses a message-driven architecture (col. 7, lines 2-10).

Art Unit: 2143

21. Regarding claims 23,41, and 71, Richards further discloses the messages passed by the communication module from the graphical user interface to the core component are commands inputted by one of the users (col. 10, lines 49-66).

22. Regarding claims 24,56, and 72, Richards further discloses the messages passed by the communication module from the graphical user interface to the core component are requests from one of the users for information about the device (col. 7, last paragraph through col. 8, 1st paragraph).

23. Regarding claims 25,57, and 73, Richards further discloses the messages passed by the communication module from the core component to the graphical user interfaces concern events that have occurred to the device (col. 8, 2nd paragraph).

24. Regarding claims 26, and 74, Richards further discloses the messages passed by the communication module from the core component to the graphical user interfaces are responses to the users' request for information (col. 8, 3rd paragraph).

25. Claims 27, and 48 are substantially the same as claim 1 and is thus rejected for reasons similar to those in rejecting claim 1. Richards further discloses transmitting commands and events specific to the software application and/or the device over said connection (col. 8, lines 27-41); sharing graphical user interface information between the remote software application and the host software application such that a remote user and host user may provide input to and view output from the software application and the device connected to the host computer which is controlled by said software application running on the host computer (col. 8, lines 27-41); and closing said TCP/IP connection between the remote computer and the host computer at the end

Art Unit: 2143

of each session (inherently, the closing state may occur when a FIN packet is received at the end of each session).

26. Regarding claims 32, and 53, Richards further discloses wherein the software application configured as client-side software shuts down the TCP/IP connection with the software application configured as server-side software (col. 8, lines 27-35; and col. 10, lines 12-35).

27. Regarding claims 33, and 54, Richards further discloses the software application configured as server-side software shuts down the TCP/IP connection with the software application configured as client-side software (col. 8, lines 27-35; and col. 10, lines 12-35).

Conclusion

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tanno U.S. Patent No. 5,960,177

Southgate U.S. Patent No. 6,205,579

Sakata U.S. Patent No. 6,377,977

Shields et al. U.S. Patent No. 6,680,730

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Mon -Thu (7AM-4: 30PM) and off every other Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2143

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc H. Nguyen
Examiner
Art Unit 2143

November 24, 2004



BUNJOB JAROENCHONWANT
PRIMARY EXAMINER